

REMARKS

Consideration of the amendments to the application is respectfully requested. The amendments are made pursuant to 37 C.F.R. 1.121 and 1.116. No new matter has been entered.

Status of Claims

Claims 1-8, 10-24 and 26 are pending in this application.

Claims 1-8 and 10-24 stand rejected.

Claims 9 and 25 has been previously cancelled.

Claims 1-8, 10-19 and 26 have been amended.

CLAIMS

Rejection under 35 U.S.C. 103(a) as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471)

Regarding the section titled "Claim Rejections – 35 USC 103", the Examiner rejects Claims 1-4, 6, 8, 10, 11, 15-18 and 26 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471). Applicant has amended independent claims 1 and 26 to better clarify Applicant's invention.

Applicant's Invention

Applicant's invention provides a display mechanism that displays both currently auctioned objects and objects that will be auctioned in the future all together in independently moving graphical arrays. Applicant's invention allows bidders to monitor selected items currently auctioned and provides screens for ready access to the monitored items and to submit bids.

The present invention also allows a more orderly arrangement for displaying objects currently being auctioned by presenting objects of a category in an array. More than one array can be displayed. Since an array may include more objects than can be displayed on a display, each array is capable of being scrolled independently via individual sets of control buttons designated for each individual array. Moreover, each

array can be continually cycled so that objects beyond the screen can be displayed.

Fisher

Fisher describes a system for auctioning objects. However, the invention by Fisher, as acknowledged by the Examiner, does not display one or more graphical arrays of a plurality of objects. Fisher is generally characteristic of the prior art described by Applicant in the background. Furthermore, Fisher does not teach a monitored object display that displays the selected objects to be monitored all together. In other words, Fisher does not provide any means for allowing the bidder to monitor personalized objects selected from the plurality of graphical arrays. Instead, Fisher only presents one object at a time and displays the information about that object.

Applicant further observes that the primary invention of Fisher is directed to displaying in numerical order all of the bid amounts for any one item. Fisher does not recognize the problem of displaying one item at a time and other limitations of object displays by prior auction systems.

Hill

The Examiner relies on Hill for a teaching of a graphical array of objects and acknowledges that Hill is directed to displaying items from a catalog. Then, the Examiner further modifies the teaching of Fisher in view of Hill repeatedly to reject the claims.

First, neither Fisher, Hill nor the combination thereof teaches “*a plurality of independently moving graphical arrays adapted to be displayed together on said display, each independently moving graphical array including a plurality of objects from a category for auction, wherein each object of any one independently moving graphical array is individually selectable for monitoring and bidding,*” as now claimed. (Emphasis added)

Second, neither Fisher, Hill nor the combination thereof teach “*a plurality of sets of array control buttons for controlling the movement of the moving graphical array,*

each respective set of array control buttons is associated with a different independently moving graphical array,” as now claimed.

Third, neither Fisher, Hill nor the combination thereof teach a “*monitored object display for displaying the selected objects for monitoring all together*,” as now claimed.

With regard to the continually cycling set forth in Claim 26, neither Fisher nor Hill teach such a function or a designated control button for cycling as claimed. Instead, the Examiner equates the button for scrolling in Hill for the designated control button for each array that selectively commands continuous cycling. Applicant observes that Hill teaches scrolling. However, the scrolling by Hill is performed in a manner that uses a mouse to click on the slide window for up and down movement. The means plus function has been omitted from the claim.

In view of the foregoing remarks and amendments, Claims 1 and 26 are allowable over the combination of Fisher as modified by Hill and the corresponding rejection under 35 USC 103(a) should be withdrawn. Since Claims 2-8 and 10-24 depend from independent Claim 1, then for the same reasons set forth above with regard to Claim 1, these dependent claims are also allowable over the combination of Fisher as modified by Hill and the corresponding rejection under 35 USC 103(a) should be withdrawn.

Furthermore, the combination of Fisher as modified by Hill does not teach the multi-selection function as now claimed in dependent Claim 6.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Official
Notice**

Regarding the section titled “Claim Rejections – 35 USC 103”, the Examiner rejects Claims 20-22 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Official Notice that alerts are known. Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and
further in view of Anderson (US 6,538,698)**

Regarding the section titled "Claim Rejections – 35 USC 103", the Examiner rejects Claims 20-22 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Anderson (US 6,538,698). Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and
further in view of Anderson (US 6,538,698)**

Regarding the section titled "Claim Rejections – 35 USC 103", the Examiner rejects Claims 5 and 7 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Anderson (US 6,538,698). Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and
further in view of Godin et al (US 5,890,138)**

Regarding the section titled "Claim Rejections – 35 USC 103", the Examiner rejects Claims 12-14 and 19 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Godin et al. (US 5,890,138). Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Regarding claim 14, the claims have been amend to include “a plurality of sets of array control buttons for controlling the movement of the moving graphical array”. (Emphasis added) Neither Fisher, Hill nor Godin et al. teach “sets” wherein each one set is for a different graphical array.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and
further in view of Burke (US 6,026,377)**

Regarding the section titled “Claim Rejections – 35 USC 103”, the Examiner rejects Claim 23 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Burke (US 6,026,377). Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

**Rejection under 35 U.S.C. 103(a) as being unpatentable over
Fisher (US 5,835,896) in view of Hill (US 5,970,471) and
further in view of Hanson et al. (US 5,974,398)**

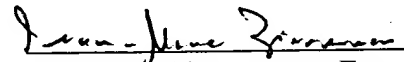
Regarding the section titled “Claim Rejections – 35 USC 103”, the Examiner rejects Claim 24 as being unpatentable over Fisher (US 5,835,896) in view of Hill (US 5,970,471) and further in view of Hanson (US 5,974,398). Nevertheless, the combination of Fisher as modified by Hill does not teach the limitations of amended independent Claim 1.

Accordingly, the corresponding rejection under 35 USC 103(a) should be withdrawn.

CONCLUSION

In view of the foregoing remarks and amendments, the Applicant believes that she has overcome all of the Examiner's basis for rejection, and that this application therefore stands in condition for allowance. However, if the Examiner is of the opinion that such action can not be taken, the Applicant requests that he contact her undersigned attorney at (908) 654-8000 in order to resolve any outstanding issues without the necessity of issuing another Office Action.

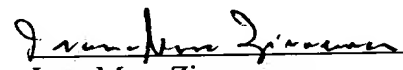
Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that on September 27, 2004, I caused the Amendment for U.S. Patent Application Serial No. 09/628,773 to be mailed by first class mail to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Jean-Marc Zimmerman